IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.O.C.P. No.859 of 2005
Date of Decision:- 23.8.2007

Joginder Singh ....Petitioner(s)

through
Mr.K.S.Rekhi, Advocate

vs.

Balwinder Singh ....Respondent(s)

through
Mr.Praveen Goyal, Sr. DAG, Punjab.
Mr.R.S.Mamli, Advocate.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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1) Whether Reporters of the local papers may be allowed to see the judgment?
2) To be referred to the Reporters or not?
3) Whether the judgment should be reported in the Digest?

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SURYA KANT, J. (ORAL)

On August 14, 2007, the respondent-contemner was brought by the police in custody as was directed by this Court vide order dated August 08, 2007. He pleaded mercy and sought 5 days' time to pay the entire arrears of rent to the petitioner-landlord.

In order to show compassion and give last opportunity, it was directed that the respondent-contemner should pay the entire arrears of rent to the petitioner-landlord as per his undertaking, however, in the event of his failure, the SHO concerned was directed to re-arrest the respondent and produce him before this Court.

The police authorities, however, again brought the respondent-contemner, who instead of making payment of arrears of rent, has brought the entire amount of Rs.12,500/- and handed over the same to the petitioner

in Court.

It appears that some subsequent events have also come to the rescue of the respondent. It is pointed out by him, which is not disputed by the petitioner who is present in Court, that the entire premises has now been sold off by the petitioner-landlord to one Amrik Singh and henceforth the said Amrik Singh has become the landowner-cum-landlord of the respondent-contemner. The petitioner is left with no concern whatsoever.

In this view of the matter and keeping in view the fact that the entire arrears of rent have since been paid, this petition is disposed of, however, with a clarification that the same shall have no effect on the rights of the new landlord, if any, arising from the previous orders passed by this Court. As a further consequence thereto, the respondent-contemner is directed to be set at liberty forthwith.

August 23, 2007 **(SURYA KANT)**
poonam **JUDGE**